



# ***Montana Fish, Wildlife & Parks***

1400 South 19<sup>th</sup> Avenue  
Bozeman, MT 59718

December 10, 2014

To: FWP Region 3 EA Standard Distribution List  
Madison-Gallatin Chapter Trout Unlimited  
Madison River Foundation  
Madison Valley History Association  
Imerys Talc, Inc.  
Walsh Ranch  
Greater Yellowstone Coalition  
Bert Otis, PO Box 60, Emigrant, 59027

Ladies and Gentlemen,

The enclosed decision notice has been prepared for the Ruby Creek Stream Channel Restoration Project. The intent of the project is to return the active stream channel to the existing floodplain, thereby eliminating the potential of an historic homestead structure from collapsing into the stream causing further stream-channel degradation.

To address concerns raised by the Montana State Historic Preservation Office, a portion of the proposal has been modified. Rather than excavating the existing vertical bank to reduce the grade and using that material as fill along the toe of the bank, fill material will be hauled into the site. The existing vertical bank will remain intact.

Comments to the Draft Environmental Assessment were received from one person and one non-governmental organization during the 30-day public comment period. Both supported the proposal.

It is my decision to proceed with the proposed project with the modifications recommended by the Montana State Historic Preservation Office. The project is expected to be conducted in March or April, 2015.

Questions regarding this Decision Notice should be directed to:

Pat Clancey  
Fisheries Biologist  
Box 1336  
Ennis, MT 59729

Or emailed to : [pclancey@mt.gov](mailto:pclancey@mt.gov)

Thank you for your interest.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Sheppard", with a large, stylized flourish extending from the end.

Sam B. Sheppard  
Region Three Supervisor

# **ENVIRONMENTAL ASSESSMENT DECISION NOTICE**

## **RUBY CREEK STREAM CHANNEL RESTORATION**

**Montana Fish, Wildlife & Parks  
Region Three, Bozeman  
December 10, 2014**

### **Proposed Actions**

Montana Fish, Wildlife & Parks (FWP) has proposed a project to eliminate the potential of an historic homestead structure collapsing into the stream and causing stream channel damage, and to eliminate stream sedimentation from a 7-foot vertical eroding stream bank, by returning the active stream channel to the existing floodplain. The proposed project, south of Ennis, will re-route a 120-foot section of Ruby Creek away from the vertical bank where the historic homestead cabin is perched on the precipice of the bank into the existing floodplain to the south of its current location. Materials removed during the construction of the new channel will be used to develop the existing channel into floodplain.

### **Montana Environmental Policy Act**

Montana Fish, Wildlife & Parks is required by the Montana Environmental Policy Act (MEPA) to assess significant potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, a draft Environmental Assessment (EA) was prepared by FWP for the proposed project and released on August 28, 2014, for a 30 day public comment period. The draft EA was titled *Ruby Creek Stream Channel Restoration*.

The draft EA was circulated to a standard FWP R-3 contact list, and to local landowners, sporting and interest groups, FWP Wildlife personnel, and federal agencies. The EA was also posted and remains available for viewing on the FWP webpage: <http://fwp.mt.gov/news/publicNotices>. A legal notice indicating release of the EA was sent to the *Madisonian* (Ennis) and *Bozeman Daily Chronicle*.

### **Summary of Public Comment and FWP Response**

During the 30 day EA review period that ended September 28, 2014, one person and one non-governmental organization commented on the proposal, both in support.

There are no modifications necessary to the Draft Environmental Assessment based on public comment, but to address concerns raised by the Montana State Historic Preservation Office (SHPO), a portion of the proposal has been modified. Rather than excavating the existing vertical bank to reduce the grade and using that material as fill along the toe of the bank, fill material will be hauled into the site. The existing vertical bank will remain intact.

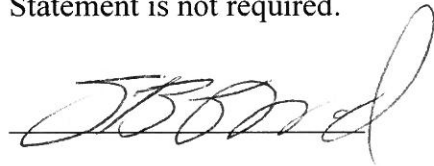
Funding for this project is from Northwestern Energy's Madison River Fisheries Technical Advisory Committee, the Greater Yellowstone Coalition and the FWP Future Fisheries Program.

The Draft Environmental Assessment, together with this Decision Notice, will serve as the final documents for these proposals.

**Decision**

Based on the Environmental Assessment and public comment FWP will proceed with the proposed Ruby Creek Stream Channel Restoration proposal with modifications as proposed by the Montana Historic Preservation Office.

With the incorporation of the SHPO modifications, I find there to be no significant impacts on the human and physical environments associated with this project. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.

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Sam B. Sheppard  
Region Three Supervisor